

Message Text

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PAGE 01 MONROV 05526 101508Z
ACTION AID-59

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FM AMEMBASSY MONROVIA
TO AMEMBASSY NIAMEY PRIORITY
INFO SECSTATE WASHDC 5852
AMEMBASSY ABIDJAN

UNCLAS MONROVIA 5526

ABIDJAN FOR REDSO
FROM RLA MUNTSSINGER

E.O. 11652 N/A
SUBJECT: GRANT AGREEMENT FOR NIGER RIVER DEVELOPMENT
PLANNING (625-0915)

REF: NIAMEY 3674

1. RLA'S ADVICE IN RESPONSE REFTEL AS FOLLOWS.
ADVICE KEYED TO SUBPARAS OF PARA 2 REFTEL.

(A). GIVEN RDO'S STATED ACCEPTANCE OF OTHER SUGGESTIONS
MADE DURING RLA/BAKER DISCUSSIONS, BELIEVE GA CAN BE
FINALIZED WITHOUT AID/W CLEARANCE, SUBJECT TO THE
FOLLOWING:

(B) FROM DISCUSSIONS WITH BAKER, IT APPEARS THAT
THERE ARE A NUMBER OF CONCEIVABLE SITUATIONS WHICH
COULD ARISE DURING IMPLEMENTATION OF THE SUBJECT
PROJECT IN WHICH ONE OR BOTH OF THE FOLLOWING QUESTIONS
WOULD BE PRESENTED: (1) WHETHER, IN THE CONTEXT OF
PROPOSALS DURING IMPLEMENTATION THAT SPECIFIC ADVICE OR
ASSISTANCE BE PROVIDED BY AID-FINANCED PERSONNEL OR
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OTHER ACTIVITIES BE FINANCED, THE PROPOSED ADVICE,
ASSISTANCE,OR ACTIVITIES WOULD QUOTE PROMOTE OR
ASSIST COMMUNIST-BLOC PROJECTS OR ACTIVITIES UNQUOTE WITHIN
THE MEANING OF SECTION 620(H) OF THE FAA; AND (2)
IN CASES WHERE THE FIRST QUESTION IS ANSWERED IN THE
AFFIRMATIVE, WHETHER TO FURNISH SUCH ASSISTANCE WOULD BE CONTRARY TO
THE BEST INTEREST OF THE UNITED STATES. CHAPTER 9

OF SUPPLEMENT B TO HB 1 REQUIRES, IN CASES WHERE ANSWER OF THE FIRST QUESTION IS NOT CLEAR, THAT THE FACTS IN CONCRETE SITUATIONS, AS THEY ARISE, BE REFERRED TO AID/W FOR DECISION BY THE RESPONSIBLE AA. IN CASES WHERE THE SECOND QUESTION ARISES, FINAL DECISION IS MADE BY THE ADMINISTRATOR ON RECOMMENDATIONS OF THE CONCERNED MISSION AND EMBASSY. IN VIEW OF FACT THESE REGULATIONS ISSUED PURSUANT TO STATUTE, RLA BELIEVES THE IMPLEMENTING STANDARD ANNEX PROVISION, SECTION B3(B), SHOULD NOT BE DELETED WITHOUT APPROPRIATE AID/W APPROVAL. GIVEN AUGUST 15-20 TARGET DATE FOR GA SIGNATURE, BELIEVE ONLY PRACTICAL COURSE AT THIS TIME IS TO FOLLOW PROCEDURE CONTEMPLATED BY THE REGULATION AND THE STANDARD ANNEX PROVISION, I.E., REFER THE FACTS IN CONCRETE SITUATIONS AS THEY ARISE TO AID/W FOR CONSIDERATION OF POSSIBLE EXCEPTIONS, IF NECESSARY, TO THE STANDARD ANNEX PROVISION (WHICH INCLUDES CLAUSE QUOTE EXCEPT AS AID OTHERWISE AGREES IN WRITING UNQUOTE), RATHER THAN ATTEMPT TO OBTAIN AID/W APPROVAL NOW TO TOTAL DELETION THIS PRESCRIBED PROVISION FROM THE GA.

(C). ASSUME FROM REFTEL THAT RDO PROPOSES TO LEAVE WORDING OF THIS SECTION UNCHANGED FROM THAT SHOWN TO RLA BY BAKER. RLA CONCURS.
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(D) RLA OF OPINION THAT FINAL WORDING OF SECTION C3(D) MAY PROPERLY BE LEFT IN THE CIRCUMSTANCES DESCRIBED TO RDO'S JUDGMENT. SUGGEST, HOWEVER, RDO CONSIDER POSSIBILITY OF REWORDING, RATHER THAN DELETING, THIS SECTION SO THAT, INSTEAD OF REQUIRING QUOTE ACCEPTABILITY UNQUOTE TO AID, IT REQUIRES ONLY NOTIFICATION OR ADVICE TO AID. BELIEVE THIS WOULD PROBABLY ELIMINATE BASIS FOR OBJECTION EXPRESSED REFTEL. HORAN

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Sent Date: 10-Aug-1977 12:00:00 am
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Disposition Approved on Date:
Disposition Case Number: n/a
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